



BALSAM LAKE PROTECTION & REHABILITATION DISTRICT

Monthly Meeting Minutes September 19, 2020, 8:30 AM

Polk Business Center Meeting Room

1) CALL TO ORDER:

- Tom Kelly called the meeting to order at 8:30 AM

2) COMMISSIONERS PRESENT:

- Tom Kelly, Rod Preble, Andy Wilhoit, Dave Mariani, Gary Schneider, Bill Mork, Dale Ulbrich

3) OTHERS PRESENT:

- Patty Kabus (recorder)
- Randy Langkos

4) PUBLIC COMMENTS:

- Randy Langkos came to the meeting (he lives on Little Balsam), to comment on boat patrol. Many wake boats and jet skis are showing up. Wake Boats create enormous waves and are wreaking havoc on the shoreline as well as doing damage to the docks in Little Balsam. A number of residents have had pontoon damage and have had to make repairs. Jet skis are supposed to be 200 feet from the shoreline but are not. Randy has called the police. They did give one citation that he knows of, but he was told that they try to educate people and treat citations as a last resort. In the narrowest points of Little Balsam, they are right at 400 feet or less across. Jesse Ashton told Randy it's illegal for jet skis to enter Little Balsam because of this. He is concerned that people will get hurt. Randy spoke to someone on the Homeowner board and they said their concern is safety and people having fun. He would like to see a sign put in to remind people of the laws. Tom said he spoke to the DNR and they said it is the Township level that sets the ordinance. Rod said the boat patrol cannot enforce it but the state possibly could. Dave

does not think chapter 33 (which governs us) deals with this. Rod mentioned that jet skis going in small circles is illegal. He feels wake boats are more a problem for erosion and jet skis are more of a problem in regards to safety. Tom spoke to the homeowners' association about the boat patrol schedules and resources, and was told there is no specific schedule either in terms of schedule or resources. Rod mentioned that people also go close to water mats where kids are jumping off. Gary spoke with the police chief and was told they just get on the water when they can but there are no reports showing when or how often they are on the water. Rod also mentioned there is 2000 hours of training required in order to do boat patrol, and it is at the individuals' expense. Tom asked if the BLPRD is willing to determine whether we have the authority and resources to tackle this issue. Andy asked Randy what the most important issue is in his mind. Randy replied that wake boats are the biggest issue, and that changing the minimum to 400 feet for wake boats would help. Dave mentioned that most wake boats are not being hauled in, but are actually on the lake permanently. Dale noted we could draw up a map and provide it to people. Bill noted the issue won't go away without both education and enforcement. Dave mentioned that damage to the lake is a good example in Little Balsam, where a drive-in boathouse had to put in cement pylons to protect his boathouse. To recap, Tom noted that this issue needs to be flushed out in terms of what the protection district can do, and what our options are.

5) APPROVE AGENDA:

- Gary motioned to approve the agenda, Dave seconded, all approved with one item added under new business (Rice Creek Sedimentation). Motion carried.

6) APPROVE MINUTES:

- June minutes and July draft.
- Review June minutes. Dave motioned to approve the June Meeting Minutes, Dale seconded, all approved. Motion carried.
- Review July (annual Meeting) minutes draft. Tom noted the draft has been posted on the website.

7) TREASURER REPORT:

- Financials / Schneider
 - Gary reviewed the June financials. Bill made a motion to approve the June financials, Rod seconded, all approved. Motion Carried.
 - Gary reviewed the July financials. Tom explained how things are moving over to Hiawatha bank, other than the credit card (used for District Business and Harvester purchases). The credit card will stay at RCU as Hiawatha does not offer a credit card. Bill noted the loan disbursement should show up in the statement of cash flow activities and he will look into it. Tom said Carlson said it is not done per accounting practices. Tom said it is in the balance sheet. Net income takes into account the 200,000 grant and the 364,000 in expenses but does not include the loan money that came in, which makes the operating expenses look negative. Tom said we are a bit ahead of budget due to grants received. Tom noted there is a budget number

missing from the actuals to budget report that needs to be researched and corrected. Tom noted we will need to table the July Financials until this is resolved.

- August financials also needs to be tabled until the budget numbers can be resolved.

8) Water Quality

- East Balsam EBWQ / Wilhoit
 - Alum treatment progress – Andy reported that a final study will be done in September and then they will compile all the numbers. Andy noted there was a one-day algae bloom at his dock and then it went away. Feedback from everyone is that water quality has noticeably improved. Next year, we will bring the follow-up treatment to a vote. Bill James did a preliminary report in August, and it showed the internal phosphorous load has decreased by 50-60%. In respect to water clarity, it has increased by 1-5 feet which is significant for the initial treatment. Tom did note this has been a bumper year for regular weeds (which is great for the fish), but CLP was less than in previous years. Over the last few years, the number of CLP acres has gone down drastically from 180 acres to less than 60.
- Healthy Lakes Native Plantings / Kelly
 - Still have availability to fund 10 projects. This is not the time of year that people are thinking about this. Discussion around grass that goes right down to the lake, and variance requests and how they are handled. Rod noted the village has a process that supersedes the county.

9) Aquatic Plant Management and Invasive species

- CBCW / Mork
 - There were no issues this year. The 2020 grant application requires 200 hours per landing. Terry is working on bring East Balsam and Little Balsam up to 200 hours. We are a little light this year on hours due to the pandemic. It may be an uphill battle for staffing next year. Bill has not gotten complaints this year. A few people had to be let go early this year. Bill asked if they have a garbage can at each landing. Tom said Terry has brought his own, and people steal it. Tom spoke to Mike at Milltown, and he said he'd look into it since there should be a trash receptacle at the landing. Bill is all set to put in the 2021 permit application.
- Harvesting CLP & Navigation / Preble
 - The harvester has not been out since August 27th. There are about 2 more days of work and then it will be put away for the year. They will be checking around stump bay. Dave noted he has not seen any CLP this year near his bay. Maintenance will be needed before next year. The loads have been large this year. The village has decided that the loads are dumped next to a farm, and then pushed onto a farm. Rod says that we should have a hold harmless agreement because we cannot guarantee the purity of the material. There has an issue on Idlewild where someone said the truck to haul the harvester cannot be parked there.
- Purple Loosestrife eradication / Mork

- Bill noted there was some purple loosestrife issues in Town Bay. Bill and Tom went to visit the land owner. There are beetles that were previously released, and could be released again. Rod noted that was where the loosestrife started. Bill will contact Alex about beetle treatment at the appropriate time next year.

10) OLD BUSINESS:

- Bylaw review / Mariani
 - Dave noted everyone was to read chapter 33 and asked again that everyone read it. Rod noted there are things in our by-laws that are more restrictive than chapter 33 (we can only have special meetings between Memorial Day and Labor Day, but chapter 33 does allow this). Also, our by-laws limit how much we can spend without going to the electorate. Our by-laws note that we follow chapter 33. Tom requested everyone to review chapter 33 and our by-laws before the next meeting. The special meeting section of the by-laws may need to be revised.
- No Wake Zone at the Marina
 - Tom spoke to Jeff Reid at the marina about adding a no wake zone at the marina, due to spilling of gas as well as damage to boats. Originally, the Homeowner's Association was going to handle it, then they turned it over to the Marina owner. There seemed to be a runaround about who is going to take care of it and pay for it. The DNR said the municipality is responsible to approve the buoy, and the Village of Balsam Lake would need to approve it. Sunnyside maintains all buoys for the Homeowner's Association. Bill noted that water skiing in that area, causes a lot of gas spillage. Dave asked if the buoy could also extend in front of Paradise as that also causes boat damage. Gary will talk with the Village to see if they will get involved in it. The board is in agreement that we could offer to pay for the buoys. It needs to be clarified who is in charge of, and who takes care of the buoys around the lake. Gary will also look into who 'owns' putting them in and taking them out.

11) NEW BUSINESS

- Water Patrol
 - Noted Randy's thoughts on water patrol. We have determined schedules and what is being done, and who patrols (DNR, Polk County and Boat Patrol). DNR and Polk County patrols very seldom. There are no specifically dedicated schedules or resources for boat patrol. The police department are barely staffed to cover Balsam Lake and land. The Homeowner's Association funds for boat patrol, but they cannot access grants because of the lack of citations. The boat patrol told Dave that he was supposed to give out 'x' citations but they do not meet the minimum. The boat patrol budget is between 6,000 and 7,000. There are not enough hours on the lake to qualify for grants. Tom is waiting on a call from another Homeowner's Association Board member to provide information. Bill noted that some other lakes have very prohibitive restrictions, and that we do not want to go down that road. Tom noted we likely need to meet with the Village and the Homeowner's Association to discuss how this can be handled.

Rod noted the BLPRD has the authority to handle lake policing but we are not in a position to take it over. We could help with funding. Tom offered to approach Kathy at the Village and Tiffany at the Homeowner's Association to start a discussion in a standalone meeting on this topic. Tom asked if we would need to ask our constituents if this is something we should be doing (possibly in this issue of the Dockside). This could be considered a BLPRD issue due to the erosion.

- Fall Dockside
 - An article about regulations and education could be in the next Dockside.
 - Tom asked that people begin thinking about the content for the November Dockside. Rice Creek Sedimentation would be a good article, showing what the Rice Creek Sediment Program has done for the lake. Tom asked new members to do a brief bio as well. Dale also offered to do a map of the lake and show where different types of watercraft can go based on the regulations. Andy will do an article on the Alum project and that will be a lead story. Bill will do an article about Purple Loosestrife and CBCW. Rod will do an article about CLP and Harvesting. Tom reminded people to remember to include pictures with their articles, and to use Word and not pdf. Tom asked that draft articles be submitted to Tom before the next meeting.
- Rice Creek Sedimentation Pond
 - Dale has delivered a presentation on Rice Creek. The creek was made 200x600 feet, and made another 4 feet deeper. Dale went out and measured the depth. The first 100 feet is pretty full of sediment. Dale contacted Alex Smith and he wasn't here when this was built. Ray Sloss had done measurements when it was first built and again 10 years later. Dale will compare these 3 measurements and will investigate the pre-defined guidance as to at what point something needs to be done per the maintenance plan/schedule. Dale noted removal of sediment is considered mining and the sediment is owned by the state so we need to figure out what needs to be done with the sediment.

12) OTHER REPORTS:

- Village / Schneider
 - Not a whole lot. No goose roundup done this year. They are in the midst of a goose hunt right now. There will be a goose roundup next year. There is \$90,000 in the dam fund right now, they would like to keep it at \$100,000. Rod noted someone asked for a variance to move his garage and have bunkrooms in there. Rod noted if he did this, he is already well under the minimum green space, and he had no water mitigation plan. Had he not asked for a variance, Rod would have been unaware of the issues to water quality. Rod has concluded that we need to ask to have input to any permit applications to the Village in order to mitigate water runoff (similar to what we have with the county). Also, Rod noted he got a phone call from someone who lives near Paradise Landing,

asking about the Paradise Landing docks. The DNR handles permits for this. Paradise Landing is asking for 14 units at Paradise, and they want to have more docks. Rod said the DNR is not going to allow additional dock spaces, and the existing docks must remain public. The Village will be voting on the request to add 14 new rooms. The Village ordinance says 70% needs to be maintained as green space. Currently there is only about 20% and they are looking to take out the tree buffers. The BLPRD has no authority to do anything in regards to this but has verified that the DNR is completely in charge of the docks (BLPRD has no authority in this area). The concern with this request is the runoff that will be made even more extreme. Tom asked if the board is in agreement that a water mitigation plan be included in their request for a permit.

- Rod said he has been contacted by a number of people about the lake level. The DNR would like them to run the dam at maximum height. The Army Corps of Engineers would like them to run at minimum height. The old boards have been replaced and that has reduced the seepage that used to occur.
- County / Mariani
 - The county is putting together a trail advisory group of about 15 people, to look at all the trails to figure out how to connect them all. They have put up speed limits on the trails. The Gandy Dancer trail is open to bicycles, Horses and hikers in the summer, and snowmobiles in the winter. The county has set up rules around CAFO's (Corporate Animal Farms). 50% of the county is considered shoreline district and is prohibited from CAFO's. In addition to that, the county is now putting in another layer so the county has to approve CAFO's in addition to the state, to make it more difficult to approve a CAFO in Polk County.
 - Polk County is collecting over \$2,000,000 per year in sales taxes, which is up significantly due to increased sales.
 - A bunch of people want to start advertising Balsam Lake as a place to come for dining and bars. This is not related to the county.

13) FUTURE AGENDA ITEMS:

14) ADJOURN:

- Bill motioned to adjourn, Rod seconded, all approved, motion carried. Meeting adjourned at 11:23 AM.